



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

JLP:ddj

Docket No: 2762-99

2 November 1999

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 November 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1780 PERS 604 of 14 July 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



**DEPARTMENT OF THE NAVY**  
**NAVY PERSONNEL COMMAND**  
**5720 INTEGRITY DRIVE**  
**MILLINGTON TN 38055-0000**

1780

PERS-604

**14 JUL 1999**

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS ICOR [REDACTED]

Ref: (a) NPC memo 5420 PERS-00ZCB of 8 Jul 99  
(b) Title 38, United States Code, Chapter 30

1. The following is provided in response to reference (a). A review of [REDACTED] record indicates he properly documented his decision to dis-enroll from the Montgomery GI Bill (MGIB) Program on 15 June 1994. In addition, [REDACTED] Enrollment Form (DD Form 2366) was specifically annotated to show that the member was briefed on the use of MGIB Program benefits during medical residency training. Per reference (b), the decision to dis-enroll is irrevocable.

2. PERS-604's point of contact is Ms. Shirley Pate who can be reached at (DSN) 882-3227 or (C) 901-874-3227.

T. J. CEPRAK  
Captain, U.S. Navy  
Director, Navy Drug & Alcohol,  
Fitness, Education and  
Partnerships Division (PERS-60)